

1 IN THE UNITED STATES DISTRICT COURT  
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
3 REGINALD T. LEWIS, No. C 09-00163 SBA (PR)  
4 Petitioner, **ORDER OF DISMISSAL WITHOUT**  
5 v. **PREJUDICE**  
6 R. K. WONG,  
7 Respondent.

Petitioner, a state prisoner, filed the present petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On the same day the action was filed the Court sent a notification to Petitioner informing him that his action could not go forward until he paid the filing fee or filed a completed prisoner's in forma pauperis application. The Clerk of the Court sent Petitioner a blank in forma pauperis application and told him that he must pay the fee or return the completed application within thirty days or his action would be dismissed. Petitioner then filed an in forma pauperis application; however, he did not file copies of the Certificate of Funds and prisoner trust account statement.

16 On February 27, 2009, the Court issued an Order Regarding In Forma Pauperis Motion. The  
17 Court directed Petitioner to either pay the fee or submit his trust account statement and certificate of  
18 funds within thirty days of the date of the Order. Petitioner was also informed that the failure to pay  
19 the filing fee or file the requisite documents within the thirty-day deadline shall result in dismissal of  
20 this action.

21 More than thirty days have passed, and Petitioner has not paid the filing fee or filed the  
22 requisite documents. Accordingly, this action is DISMISSED WITHOUT PREJUDICE. The Court  
23 has rendered its final decision on this matter; therefore, this Order TERMINATES Petitioner's case.  
24 Petitioner's in forma pauperis application is DENIED as incomplete. The Clerk of the Court shall  
25 close the file. This Order terminates Docket no. 3.

26 || IT IS SO ORDERED.

27 | DATED: 4/7/09

Saundra B Armstrong  
SAUNDRA BROWN ARMSTRONG  
United States District Judge

1  
2 UNITED STATES DISTRICT COURT  
3 FOR THE  
4 NORTHERN DISTRICT OF CALIFORNIA  
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7 REGINALD T LEWIS, Case Number: CV09-00163 SBA  
8 Plaintiff, **CERTIFICATE OF SERVICE**  
9 v.  
10 R K WONG et al,  
11 Defendant.

12 \_\_\_\_\_ /  
13 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District  
14 Court, Northern District of California.

15 That on April 8, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said  
16 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said  
envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle  
located in the Clerk's office.

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18 Reginald T. Lewis P95159  
19 California State Prison - San Quentin  
20 San Quentin, CA 94964

21 Dated: April 8, 2009

Richard W. Wiekking, Clerk  
22 By: LISA R CLARK, Deputy Clerk

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